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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,738	01/16/2007	Takeo Eguchi	075834.00567	5476
33448	7590	04/11/2008	EXAMINER	
ROBERT J. DEPKE LEWIS T. STEADMAN ROCKEY, DEPKE & LYONS, LLC SUITE 5450 SEARS TOWER CHICAGO, IL 60606-6306			MRUK, GEOFFREY S	
			ART UNIT	PAPER NUMBER
			2853	
			MAIL DATE	DELIVERY MODE
			04/11/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/574,738	<b>Applicant(s)</b> EGUCHI ET AL.	
	<b>Examiner</b> Geoffrey Mruk	<b>Art Unit</b> 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/4/06 12/13/06 5/14/07 11/21/07</u> . | 6) <input type="checkbox"/> Other: _____  |



## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

The references cited in the information disclosure statements (IDS) submitted on 4 April 2006, 13 December 2006, 14 May 2007, and 21 November 2007, have been considered.

### ***Drawings***

The drawings received on 4 April 2006 are accepted.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitani et al. (US 5,697,144).

With respect to claim 1, Mitani discloses a liquid discharge device having a liquid discharge head in which a plurality of liquid discharge portions including a liquid

Art Unit: 2853

chamber for storing a liquid to be discharged, flying force supplying means disposed within said liquid chamber, for providing the liquid within said liquid chamber with flying force, and a nozzle formation member forming a nozzle for discharging the liquid stored in said liquid chamber by actions of said flying force supplying means, are arrayed on a substrate, said liquid discharge device comprising:

- individual channels (Fig. 1, elements 10, 14, 15) provided for each of said liquid discharge portions (Fig. 1, element 12) so as to communicate with said liquid chamber (Fig. 1, element 9) and supply liquid to within said liquid chamber; and
- a common channel (Fig. 1, element 16) provided to said plurality of individual channels so as to communicate with each of said plurality of individual channels, for supplying liquid to said plurality of individual channels (Column 6, lines 63-66);
- said common channel including a first common channel (Fig. 1, element 15) provided on a liquid supply source side, parallel to arrayed rows of said nozzles, and parallel to the discharge direction (Fig. 1, element 13) of the liquid, and
- a second common channel (Fig. 1, element 14) provided adjacent to and communicating with said individual channels, and having liquid channel resistance greater than that of said first common channel (Column 1, lines 54-56; Column 5, lines 62-64).

With respect to claim 2, Mitani discloses the channel cross-sectional area of said second common channel (Fig. 1, element 14) perpendicular to the supply direction of said liquid is formed smaller than the channel cross-sectional area of said first common channel (Fig. 1, element 15) perpendicular to the supply direction of said liquid, thereby setting the channel resistance of said second common channel greater than the channel resistance of said first common channel (Column 1, lines 54-56).

With respect to claim 3, Mitani discloses at least a part of said second common channel is configured of at least a part of said liquid discharge head.

With respect to claim 4, Mitani discloses said second common channel (Fig. 1, element 14) is formed such that the channel resistance as to the movement direction of liquid (Fig. 1, element 13) to the plurality of individual channels with which said second common channel communicates is generally constant (Column 8, lines 12-13).

With respect to claim 5, Mitani discloses a plurality of said liquid discharge heads (Fig. 5) are provided, and said second common channels (Fig. 1, element 14) of said plurality of said liquid discharge heads (Fig. 5) are formed so as to have generally the same channel resistance (Fig. 5, i.e. symmetry of the printhead).

With respect to claim 6, Mitani discloses said second common channel (Fig. 1, element 14) is formed so as to have generally the same channel direction as said individual channels (Fig. 1, elements 14, 15).

With respect to claim 7, Mitani discloses at least a part of said second common (Fig. 1, element 14) channel is disposed on a face of said substrate (Fig. 1, element 1) where said individual channels (Fig. 1, elements 10, 14, 15) are provided.

With respect to claim 8, Mitani discloses at least a part of said second common channel (Fig. 1, element 14) is disposed on a face of said substrate (Fig. 1, element 1) where said individual channels are provided (Fig. 1, elements 10, 14, 15), and further formed of the same material (Column 6, line 65) as the material configuring said liquid discharge portions or said individual channels (Fig. 1, elements 10, 14, 15).

With respect to claim 9, Mitani discloses said substrate (Fig. 1, element 1) has a face perpendicular to or generally perpendicular to a face where said individual channels (Fig. 1, elements 10, 14, 15) are provided, with at least a part of said second common channel (Fig. 1, element 14) using said perpendicular or generally perpendicular face as one wall face of said second common channel (Fig. 1, element 14).

With respect to claim 10, Mitani discloses a part of said second common channel (Fig. 1, element 14) is disposed on a face of said substrate (Fig. 1, element 1) where said individual channels are provided (Fig. 1, elements 10, 14, 15), and wherein said substrate has a face perpendicular to or generally perpendicular to a face where said individual channels are provided (Fig. 1, elements 10, 14, 15), with at least a part of said second common channel (Fig. 1, element 14) using said perpendicular or generally perpendicular face as one wall face of said second common channel (Fig. 1, element 14).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey Mruk whose telephone number is (571)272-2810. The examiner can normally be reached on Monday-Friday 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. M./  
Examiner, Art Unit 2853  
4/7/2008

/STEPHEN D. MEIER/  
Supervisory Patent Examiner, Art Unit 2853



Application/Control Number: 10/574,738  
Art Unit: 2853

Page 7